

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**JOHN F. KENNEDY MEDICAL CENTER**

**Plaintiff ,**

**v.**

**DIALYSIS CLINIC INC. GROUP HEALTH  
PLAN, and ABC GROUP HEALTH PLAN 1-10,**

**Defendants.**

Civ. No. 09-4208

**ORDER**

A Report and Recommendation was filed on December 3, 2009 recommending that this civil action be remanded to the Superior Court of New Jersey. The parties were notified that they had ten days to submit objections and responses to the Report and Recommendation pursuant to Local Civil Rule 72.1(c)(2). No objection or response having been received by this Court, and the Court having reviewed the Report and Recommendation *de novo*, and good cause appearing;

**IT IS** on this 17th day of December 2009, hereby

**ORDERED** that the Report and Recommendation of Magistrate Judge Mark Falk is adopted as the Opinion of this Court; and it is further

**ORDERED** that Plaintiff's motion to remand is **GRANTED**; and it is further

**ORDERED** that this case is remanded to New Jersey Superior Court, Law Division, Middlesex County.

/s/ William J. Martini  
**WILLIAM J. MARTINI, U.S.D.J.**

cc: The Hon. Mark Falk, U.S.M.J.